



Appeal Decision

Site visit made on 9 March 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 May 2020

Appeal Ref: APP/Z5060/W/19/3242485

30 Park Avenue, Barking IG11 8QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ahfaz Miah against the decision of the Council of the London Borough of Barking & Dagenham.
 - The application Ref 19/01411/FUL, dated 30 August 2019, was refused by notice dated 28 October 2019.
 - The development proposed is conversion of single dwelling family house into three self contained dwelling units comprising of 1 x 4 bedroom 7 person flat, 1 x studio 1 person flat and 1 x 1 bedroom 2 person flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal scheme on the concentration of flats on Park Road and whether the submitted drawings contain discrepancies and if these constitute reasons for refusal of planning permission.

Reasons

Concentration of flats on Park Road

3. Policy BC4 of the Planning for the future of Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011) (BDDPD) states that the number of houses converted to flats or Homes in Multiple Occupation (HMOs) in any road cannot exceed 10% of the total number of houses, and that no two adjacent properties, apart from dwellings that are separated by a road, should be converted. In broad terms, the Policy's purpose is to restrict the conversion of houses with three or more bedrooms into flats or HMOs as to preserve the stock of family housing in the Borough.
4. The undisputed evidence indicates that 32 Park Road, which is adjacent to the appeal site, has been converted into two flats and that approximately 15% of the total number of houses along Park Road have been converted to flats, thereby exceeding Policy BC4 thresholds. Considering that the appeal house has 5 bedrooms, the present proposal to convert the existing dwelling into three self-contained flats is contrary to the Policy and its objectives.
5. It is also worth noting that the appeal site is one of the few detached houses along Park Avenue and therefore quite unusual within the context of the housing offer in the area. The appeal property, given its the size, number of

bedrooms and location, is very much the type of housing that Policy BC4 seeks to maintain as a family house.

6. In conclusion, therefore, the appeal proposal is contrary to Policy BC4 of the BDDPD. In the face of such clear-cut policy conflict and of a policy that appears to be well-justified, I have found no good reasons from the evidence before me, including the more intensive use of the property and delivery of additional homes, that might override the development plan in this respect.

Discrepancies in drawings

7. There does not seem to be any inconsistencies between the submitted drawings¹ on the basis that the Proposed Plans (PA/2080/002) do reflect the development description, and the Existing Elevations (PA/2080/002) and the Existing Elevations (No Change) (PA/2080/003) drawings appear to be consistent between them.
8. However, my site visit indicated that the Existing Elevations and the Existing Elevations (No Change) drawings do not accurately reflect the current built form and layout of the appeal property. A mansard roof extension to the rear elevation of the site has been built and the present internal configuration of the rooms does not seem to be wholly consistent with either the existing or the proposed drawings. The dwelling also appears to have been subdivided into more rooms than those included in the proposal.
9. Nonetheless, given that the appeal is made under s78 of the Act, I have limited my assessment of the appeal development to what the appellant sought planning permission for, as expressed in the submitted drawings and wider submissions. On that basis and bearing in mind that the appeal is to be dismissed on the other main issue, it is not found necessary to consider this matter any further.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

Andre Pinto

INSPECTOR

¹ Existing Elevations (PA/2080/002) 14 August 2018; Existing Elevations (No Changes) (PA/2080/003) 14 August 2018; Proposed Plans (PA/2080/002) 17 August 2018.